

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**ARTURO REYES, BRYON GOINS and
ARMANDO DE LA FUENTE PERALTA, on behalf
of themselves and all others similarly situated,**

08 CV 02494 HB

Plaintiffs,

-against-

**BUDDHA-BAR NYC; LITTLE REST TWELVE,
INC.; NINA ZAJIC; DAVID KAY; and ABDUL
RAHMAN EL JASTIMI a/k/a PETER JASTIMI,**

Defendants.

**SECOND STIPULATION
AND ORDER
STAYING
PROCEEDINGS**

WHEREAS, the attorneys for the parties to the above-referenced action have agreed to a second brief stay of proceedings, subject to the Court's approval, in order to permit the opportunity to engage in informal discovery and further meet and confer regarding the issues and the allegations, and determine whether a settlement can be achieved:

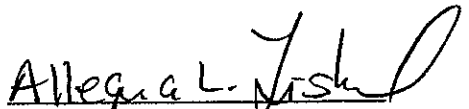
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for Plaintiffs Arturo Reyes, Bryon Goins and Armando de la Fuente Peralta and all others similarly situated (collectively "Plaintiffs") and Defendants Little Rest Twelve, Inc. d/b/a Buddha Bar NYC, Nina Zajic, David Kay and Abdul Rahman El Jastimi a/k/a Peter Jastimi (collectively "Defendants"), that the time within which Defendants may file a responsive pleading to the Complaint which has been filed herein or re-file their Motion to Dismiss will be stayed for an additional thirty (30) days from the date of this Stipulation and Order (i.e., through September 18, 2008) while the parties meet and confer regarding the possibility of reaching a settlement of the claims;


IT IS FURTHER STIPULATED AND AGREED, that should Defendants re-file their Motion to Dismiss, the Plaintiffs will file an Amended Complaint, and that Plaintiffs will have until October 8, 2008 to do so (but may file said Amended Complaint at any time prior to that date); and

IT IS FURTHER STIPULATED AND AGREED, that the August 21, 2008 initial conference be rescheduled on a date to be set by the Court for a date after October 8, 2008, subject to the Court's approval; and

IT IS FURTHER STIPULATED AND AGREED, that this document may be signed in counterparts, and facsimile signatures shall be deemed originals for purposes of this stipulation.

Dated: New York, New York
August 14, 2008


Allegra Fishel, Esq. (AF 4866)
OUTTEN & GOLDEN, LLP
Attorneys for Plaintiffs
Arturo Reyes, Bryon Goins
and Armando De La Fuente Peralta,
on behalf of themselves and all others
similarly situated
3 Park Avenue, 29th Floor
New York, New York 10016
(212) 245-1000


Peter J. Biging, Esq. (PB9913)
LEWIS BRISBOIS BISGAARD & SMITH LLP
Attorneys for the Defendants
Little Rest Twelve, Inc. d/b/a Buddha Bar-NYC,
Nina Zajic, David Kay and Abdul Rahman El
Jastimi a/k/a Peter Jastimi
199 Water Street, Twenty-Fifth Floor
New York, New York 10038
(212) 232-1300

SO ORDERED:

Hon. Harold Baer, U.S.D.J., S.D.N.Y.